

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

RICKY DUDLEY, Individually and On Behalf  
of All Others Similarly Situated,

Plaintiff,

-v-

CHRISTIAN W.E. HAUB, ERIC CLAUS,  
BRENDA M. GALGANO, RONALD  
MARSHALL, SAMUEL MARTIN, THE  
YUCAIPA COMPANIES LLC, RONALD  
BURKLE AND FREDERIC BRACE,

Defendants.

**DOCUMENT FILED**  
**ELECTRONICALLY**

Civil Action No: 2:11-cv-05196-WJM-MF

Honorable William J. Martini, U.S.D.J.  
Honorable Mark Falk, U.S.M.J.

**[PROPOSED] ORDER DISMISSING  
AMENDED COMPLAINT**

**THIS MATTER** having come before the Court on the motion of counsel for Defendants Christian W.E. Haub, Eric Claus, Brenda M. Galgano, Ronald Marshall, Samuel Martin, and Frederic Brace (collectively, the “A&P Defendants”) for an Order dismissing the Amended Complaint with prejudice pursuant to Federal Rules of Civil Procedure 9(b) and 12(b)(6) and the Private Securities Litigation Reform Act of 1995; and the Court having considered the submissions in support of that motion; and for good cause shown:

**IT IS** on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_,

**ORDERED** that the A&P Defendants’ Motion to Dismiss the Amended Complaint Under Fed. R. Civ. P. (9)(b), Fed. R. Civ. P. 12(b)(6), and the Private Securities Litigation Reform Act of 1995 is hereby GRANTED; and its is further

**ORDERED** that the Amended Complaint filed by Plaintiff Ricky Dudley be and hereby is DSIMISSED WITH PREJUDICE as to the A&P Defendants; and it is further

**ORDERED** that a copy of this Order shall be served upon all counsel of record within \_\_\_\_ days of the date hereof.

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Hon. William J. Martini, U.S.D.J.